

# EXHIBIT 1

**Bates, Naomi B.**

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**From:** O'Donnell, Margarita K.  
**Sent:** Friday, May 30, 2025 4:17 PM  
**To:** Jason Sunshine; Fetterolf, Jon R.  
**Cc:** Bryan Freedman; Theresa Troupson; Local KAF. Counsel; Summer Benson; Christina Puello; Cortni Davis; Vaneta Birtha; Ellyn Garofalo; Rose Khatchikian; Bates, Naomi B.  
**Subject:** RE: Subpoena served on Manatt, Phelps & Phillips LLP in Jones, et al. v Abel, et. al., 25-cv-00779 (SDNY)

Jason,

We appreciate your offer to withdraw certain requests from the Vanzan subpoena and narrow the remaining requests as you describe in items (1) through (5) below. However, we do not agree that your email provides an accurate or complete recap of our nearly hour-long meet and confer. We do not think it is helpful to exhaustively correct or recite every part of our discussion. However, we want to respond to several points. We hope that this exchange will demonstrate a way forward.

You began the meet and confer by clarifying what Ms. Abel actually seeks in these two subpoenas. You stated that the materials that Ms. Abel seeks from Manatt are all subsumed by the subpoena to Vanzan, and therefore, that the subpoena to Manatt may be unnecessary and you may withdraw it. We agree that it would be appropriate to withdraw the subpoena to Manatt, for the reasons we set forth in our Objections and prior email correspondence. We urge you to do so.

As we noted in our Objections and prior email correspondence, the requests in the subpoenas are overbroad and expansive. However, you explained that what Ms. Abel hopes to receive in litigation is information about the ownership of Vanzan (Request Nos. 1 and 4), communications between Vanzan and third parties relating to the *Doe* litigation filed in New York state court (Request No. 9), and a copy of the subpoena issued in the *Doe* litigation and the documents produced in response (Request Nos. 10 & 11).

As a threshold matter—and as we discussed at length during our meet and confer—we do not believe that the materials you are seeking from Vanzan (and Manatt) are relevant to the underlying employment and contractual claims in the *Jones v. Abel* litigation. Even with your proposal to narrow the subpoena, you have yet to provide any legitimate basis for the relevance of the documents sought from Request Nos. 1, 4, and 9 to Abel's counterclaims and defenses in the *Jones* litigation. Moreover, Vanzan and Manatt are third parties. They have not been sued, nor have they sued anyone in the *Jones* or *Lively* litigation or in any pending case. The documents you seek are available elsewhere, and should be sought from the parties in the litigation. Thus, even if Ms. Abel could demonstrate the relevance these documents, they are more appropriately sought the actual parties to this dispute.

Counsel for Ms. Abel stated that you would be willing to withdraw the subpoena to Manatt and the remaining requests to Vanzan if Vanzan would be willing to produce a copy of the subpoena issued in the *Doe* litigation and the documents produced in response (Request Nos. 10 & 11). We understand that you believe it would be helpful for Vanzan to produce the material so that you can resolve your concerns about whether any subpoenas and productions you received are accurate. As we said during the meet and confer, we will discuss this potential resolution with our client.

We would expect the *Doe* subpoena and documents to have been produced by the Jones Parties. However, we have not received confirmation that Ms. Abel has sought or received the documents you are now seeking

through third party discovery. During the meet and confer, you expressed that you were unable to confirm whether you have received any of the *Doe* subpoena and produced documents due to the operative Protective Order in the *Lively* litigation. You offered to review that Protective Order and determine what information you can disclose regarding your receipt of these documents so you can confirm to us whether you have already received the subpoena and produced documents. Of course, we would be willing to enter into an agreement that would protect that information including agreeing to the terms and conditions set forth in the Protective Order.

We reiterate our request that you confirm whether Ms. Abel has received the *Doe* subpoena and responsive documents from the parties, and if not, the status of that discovery. Assuming Ms. Abel withdraws the other requests in both subpoenas, then we are willing to address your concerns regarding accuracy, and either confirm the accuracy or produce the documents consisting of the *Doe* litigation subpoena and produced documents. We believe this would be a satisfactory resolution.

We are available to confer further Monday or another day next week. Please let us know your availability to discuss.

Best, Maggie

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**From:** Jason Sunshine <jsunshine@lftcllp.com>

**Sent:** Tuesday, May 27, 2025 7:41 PM

**To:** O'Donnell, Margarita K. <modonnell@zuckerman.com>; Fetterolf, Jon R. <JFetterolf@zuckerman.com>

**Cc:** Bryan Freedman <bfreedman@lftcllp.com>; Theresa Troupson <ttroupson@lftcllp.com>; Local KAF. Counsel <kaf@msf-law.com>; Summer Benson <sbenson@lftcllp.com>; Christina Puello <cpuello@lftcllp.com>; Cortni Davis <cdavis@lftcllp.com>; Vaneta Birtha <vbirtha@lftcllp.com>; Ellyn Garofalo <egarofalo@lftcllp.com>; Rose Khatchikian <rkhatchikian@lftcllp.com>

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## EXTERNAL

Hi Maggie/Jon,

I'm writing to recap the meet and confer call this afternoon concerning the subpoenas served on Vanzan and Manatt. With respect to the Vanzan subpoena, we proposed the following:

- Withdrawing Requests Nos. 2-3 and 5-8;
- Narrowing Request No. 4 to seek only the identities of Vanzan's shareholders and not the other requested information;
- Narrowing Request No. 9 to seek only communications between Vanzan and/or its counsel and Stephanie Jones and Jonesworks and/or their counsel concerning the lawsuit;
- Narrowing Request No. 10 to encompass only the subpoena served on Jonesworks/Stephanie Jones;
- Narrowing Request No. 11 to encompass only documents produced pursuant to the subpoena served on Jonesworks/Stephanie Jones.

We indicated that, if the parties can agree on the foregoing, Ms. Abel would be willing to withdraw the Manatt subpoena entirely. You indicated that you intended to confer with your client. There were two more general concerns you raised involving (1) burden and (2) privilege. As for burden, we do not anticipate that any of the foregoing requests would impose an undue burden on Vanzan given the limited universe of information sought but we are willing to further confer if Vanzan has more to substantiate that generalized concern. As for privilege, we do not anticipate that any of the requests will implicate

privileged materials. If that is wrong, Vanzan must simply produce a privilege log in lieu of any allegedly privileged documents.

What is your availability towards the end of this week to resume our meet and confer on the foregoing?

Thanks,  
Jason

Jason H. Sunshine, Esq.  
LINER FREEDMAN TAITELMAN + COOLEY LLP  
1801 Century Park West, 5<sup>th</sup> Floor  
Los Angeles, California 90067  
Tel: (310) 201-0005  
Direct: (310) 201-4285  
Cell: (917) 841-8716  
Fax: (310) 201-0045  
Web: [www.lftcllp.com](http://www.lftcllp.com)

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**From:** O'Donnell, Margarita K. <[modonnell@zuckerman.com](mailto:modonnell@zuckerman.com)>  
**Sent:** Friday, May 23, 2025 8:21 AM  
**To:** Jason Sunshine <[j sunshine@lftcllp.com](mailto:j sunshine@lftcllp.com)>; Fetterolf, Jon R. <[JFetterolf@zuckerman.com](mailto:JFetterolf@zuckerman.com)>  
**Cc:** Bryan Freedman <[bfreedman@lftcllp.com](mailto:bfreedman@lftcllp.com)>; Theresa Troupson <[ttroupson@lftcllp.com](mailto:ttroupson@lftcllp.com)>; Local KAF. Counsel <[kaf@msf-law.com](mailto:kaf@msf-law.com)>; Summer Benson <[sbenson@lftcllp.com](mailto:sbenson@lftcllp.com)>; Christina Puello <[cpuello@lftcllp.com](mailto:cpuello@lftcllp.com)>; Cortni Davis <[cdavis@lftcllp.com](mailto:cdavis@lftcllp.com)>; Vaneta Birtha <[vbirtha@lftcllp.com](mailto:vbirtha@lftcllp.com)>; Ellyn Garofalo <[egarofalo@lftcllp.com](mailto:egarofalo@lftcllp.com)>; Rose Khatchikian <[rkhatchikian@lftcllp.com](mailto:rkhatchikian@lftcllp.com)>  
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Great, thanks. Please send us an invite when you have a chance. Best, Maggie

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**From:** Jason Sunshine <[j sunshine@lftcllp.com](mailto:j sunshine@lftcllp.com)>  
**Sent:** Thursday, May 22, 2025 5:49 PM  
**To:** O'Donnell, Margarita K. <[modonnell@zuckerman.com](mailto:modonnell@zuckerman.com)>; Fetterolf, Jon R. <[JFetterolf@zuckerman.com](mailto:JFetterolf@zuckerman.com)>  
**Cc:** Bryan Freedman <[bfreedman@lftcllp.com](mailto:bfreedman@lftcllp.com)>; Theresa Troupson <[ttroupson@lftcllp.com](mailto:ttroupson@lftcllp.com)>; Local KAF. Counsel <[kaf@msf-law.com](mailto:kaf@msf-law.com)>; Summer Benson <[sbenson@lftcllp.com](mailto:sbenson@lftcllp.com)>; Christina Puello <[cpuello@lftcllp.com](mailto:cpuello@lftcllp.com)>; Cortni Davis <[cdavis@lftcllp.com](mailto:cdavis@lftcllp.com)>; Vaneta Birtha <[vbirtha@lftcllp.com](mailto:vbirtha@lftcllp.com)>; Ellyn Garofalo <[egarofalo@lftcllp.com](mailto:egarofalo@lftcllp.com)>; Rose Khatchikian <[rkhatchikian@lftcllp.com](mailto:rkhatchikian@lftcllp.com)>  
**Subject:** Re: Subpoena served on Manatt, Phelps & Phillips LLP in Jones, et al. v Abel, et. al., 25-cv-00779 (SDNY)

## EXTERNAL

Yes, that works for us. Thanks.

Jason H. Sunshine, Esq.